

**REMARKS**

Claims 1-41 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting based on claims 1-29 of copending application serial no. 10/729,663, which was filed on December 5, 2003. This rejection is traversed on the following grounds.

A terminal disclaimer was filed and accepted in the later-filed copending application to overcome any obviousness-type double patenting issues regarding the subject application and the above-noted copending application. Accordingly, it is respectfully submitted that no terminal disclaimer is required in the subject application and that the subject application is therefore in condition for allowance.

Respectfully submitted,



Michael T. Gabrik  
Registration No. 32,896

Please address all correspondence to:

Epson Research and Development, Inc.  
Intellectual Property Department  
150 River Oaks Parkway, Suite 225  
San Jose, CA 95134  
Customer No. 20178  
Phone: (408) 952-6000  
Facsimile: (408) 954-9058  
Customer No. 20178

Date: January 30, 2006